

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

|                            |   |                                     |
|----------------------------|---|-------------------------------------|
| ROBERT LYLE,               | : |                                     |
|                            | : | Case No. 3:17-cv-00368              |
| Plaintiff,                 | : |                                     |
|                            | : | District Judge Walter H. Rice       |
| vs.                        | : | Magistrate Judge Sharon L. Ovington |
|                            | : |                                     |
| COMMISSIONER OF THE SOCIAL | : |                                     |
| SECURITY ADMINISTRATION    | : |                                     |
|                            | : |                                     |
| Defendant.                 | : |                                     |

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**DECISION AND ENTRY**

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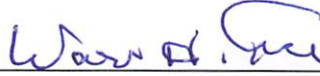
The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #12), to whom this case was originally referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

It is therefore **ORDERED** that:

1. The Report and Recommendations docketed on May 8, 2019 (Doc. #12) is **ADOPTED** in full;
2. The Commissioner's non-disability finding is vacated;
3. No finding is made as to whether Plaintiff Robert Lyle was under a "disability" within the meaning of the Social Security Act;
4. This case is remanded to the Commissioner and the Administrative Law Judge under Sentence Four of 42 U.S.C. § 405(g) for further consideration

consistent with the Report and Recommendations and this Decision and Entry; and

5. The case is terminated on the Court's docket.



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Walter H. Rice  
United States District Judge